



3731

Practitioner's Docket No. 117163.00032

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Schaldach, et al

Application No.: 09/996,061 Group No.: 3731
Filed: 11/27/2001 Examiner: Michael H. Thaler
For: STENT INCLUDING HUMAN OR ANIMAL TISSUE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

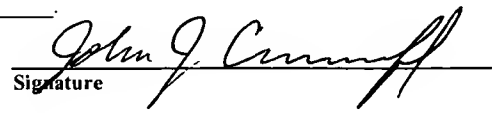
☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____


Signature

Date: April 14, 2004

John J. Cunniff

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA				
				RATE	ADDIT. FEE		
TOTAL	52	— 52	= 0	x \$ 18.00	= \$	0.00	
INDEP.	3	— 3	= 0	x \$ 86.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00	
				TOTAL ADDIT. FEE	\$	0.00	

No additional fee for claims is required.

FEE DEFICIENCY

5. An additional extension and/or fee is required, charge Account No. 15-0450.

An additional fee for claims is required, charge Account No. 15-0450.

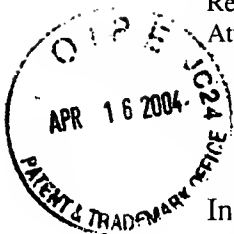
Date: April 14, 2004

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Signature of Practitioner

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Ser. No. 09/996,061
Response to restriction requirement of 17 March 2004
Atty Docket 117163-32



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	Schaldach, et al.	Examiner:	Michael H. Thaler
Ser. No.	09/996,061	Group Art Unit:	3731
Title:	Stent Including Human or Animal Tissue		
Filed:	27 November 2001	Date:	13 April 2004

RESPONSE TO RESTRICTION REQUIREMENT

This letter is responsive to the Examiner's restriction requirement mailed 17 March 2004, and is timely filed on or before 19 April 2004, as 17 March falls on a Saturday.

AMENDMENTS TO THE CLAIMS – none.

REMARKS begin on page 2.